

EXHIBIT C



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10 *Attorneys for Plaintiff*

11 UNITED STATES DISTRICT COURT

12 DISTRICT OF ARIZONA

13 Valentino Dimitrov, individually, and on
14 behalf of all others similarly situated;

15 Case No.: 2:23-CV-00226-PHX-DJH

16 Plaintiff,

17 vs.

18 Stavatti Aerospace, Ltd, a Minnesota
19 corporation; Stavatti Aerospace, Ltd, a
20 Wyoming corporation; Stavatti
21 Corporation, a Minnesota corporation;
22 Stavatti Immobiliare Ltd, a Wyoming
23 corporation; Stavatti Industries, Ltd, a
Wyoming corporation; Stavatti Niagara,
Ltd., a New York corporation Stavatti
Super Fulcrum, Ltd, a Wyoming
corporation; Stavatti Ukraine, a Ukrainian
business entity; Stavatti Heavy Industries
Ltd, a Hawaii corporation; Christopher
Beskar and Maja Beskar, husband and wife;
Brian Colvin and Corrina Colvin, husband
and wife; John Simon and Jean Simon,
husband and wife; William McEwen and
Patricia McEwen, husband wife; Rudy
Chacon and Jane Doe Chacon, husband and
wife; and Does 1 through 10, inclusive,

24
25 **DECLARATION OF SHELLY N.
WITGEN IN SUPPORT OF MOTION
TO DEEM PLAINTIFF'S
OPPOSITION TO DEFENDANTS
MOTION TO SUMMARY JUDGMENT
FOR PLAINTIFF'S LACK OF
STANDING (DOC. 63) TIMELY AND
RESPONSE TO MOTION TO STRIKE
(DOC. 65)**

26 Defendants.

27 I, Shelly N. Witgen, declare as follows:

1 1. I am over the age of 18 and a resident of Arizona.

2 2. I am the Senior Advanced Certified Paralegal and Firm Manager at Enara
3 Law PLLC (“Enara Law”).

4 3. On June 6, 2025, the firm conducted its first quarterly review since
5 undersigned counsel’s appointment as Managing Attorney.

6 4. At that time, Ms. Silva alerted the firm that the Represented Defendants had
7 filed a Motion to Strike based on Mr. Dimitrov’s Opposition being filed five (5) days past
8 the deadline.

9 5. Upon an internal review, it was determined that, in my responsibilities for
10 docketing all case deadlines, when docketing this deadline, an inadvertent error had
11 occurred where the Arizona Superior Court Rules were utilized instead of the Federal
12 Rules to calendar the Opposition deadline in the firm’s online Clio docketing system after
13 an internet outage occurred during docketing. This outage caused the Clio docketing
14 system to revert to the default setting which is the Arizona Superior Court Rules and went
15 unnoticed. Due to this inadvertent error, the docketed date was set for April 9, 2025.

16 6. When the Motion to Strike and Reply was filed, Hannah Watts, Enara Law’s
17 Legal Assistant, saved the document to this matter’s folder in preparation for the oral
18 argument requested by Plaintiff in his Opposition.

19 7. Generally, upon receipt of filings, Ms. Watts or myself save the filings to a
20 matter’s folder and place the filing in the Firm’s Slack docketing thread for the filing
21 response to be docketed. Ms. Watts did not place the Motion to Strike and Reply in the
22 Firm’s Slack docketing thread, not recognizing that a Motion to Strike had also been filed
23 along with the Reply, requiring a docketing of the response.

24 8. I did not receive the Motion to Strike and Reply in the Firm’s Slack
25 docketing thread to calendar the deadline to response to the Motion to Strike.

9. Upon further review of the circumstances, it became clear that when the Motion to Strike and Reply was filed by Represented Defendants it was classified by this Court in the ‘Docket Text’ section as a Reply to Response to Motion. (the “Notice Email”)

10. On June 6, 2025, Ms. Silva recognized that the ‘Docket Text’ had been amended to include the Motion to Strike. *See* Ex. F. The ‘Docket Text’ now reads as “*Motion to Strike 65 Response to Motion, Reply to Response to Motion. . . *Modified to add motion part on 4/25/2025 (EJA).”

11. At no time did I receive an updated Notice Email modifying the original 'Docket Text.'

12. I declare under penalty of perjury that the foregoing is true and correct.

DATED this 11th day of May 2025.

By: 
Shelly N. Witgen